



Entered on Docket  
October 02, 2007

Hon. Linda B. Riegle  
United States Bankruptcy Judge

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Counsel for the Official Committee Of  
Equity Security Holders Of USA Capital First Trust Deed Fund, LLC

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,  
USA CAPITAL REALTY ADVISORS, LLC,  
USA CAPITAL DIVERSIFIED TRUST DEED FUND,  
LLC,  
USA CAPITAL FIRST TRUST DEED FUND, LLC,  
USA SECURITIES, LLC,

Debtors.

**Affects:**

- ☐ All Debtors  
☒ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☒ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

**Order Sustaining Objection of USACM Trust  
To Victor Maus Claims Filed in Wrong  
Debtor's Case; Objection of FTDF to  
Duplicative Claim and Proposed Allowance of  
Claim**

Hearing Date: September 28  
Hearing Time: 1:30 p.m.


1 The Court having considered the Objection of USACM Trust To Victor Maus Claims  
2 Filed in Wrong Debtor's Case; Objection of FTDF to Duplicative Claim and Proposed Allowance  
3 of Claim (the "Objection") [Docket No. 4450]; appearances having been noted on the record;  
4 adequate notice of the Objection having been given; there having been no response filed to the  
5 Objection; and for good cause appearing:

6  
7 IT IS HEREBY ORDERED that the Objection is sustained, and that Claim Nos. 10725-  
8 01384 and 10725-01385 are disallowed against the estates and in the cases of USACM and FTDF.

9 IT IS FURTHER ORDERED that this Order shall not affect any other claims filed by  
10 Victor Maus ("Claimant") in these jointly-administered bankruptcy proceedings.


11 IT IS FURTHER ORDERED that this Order shall not affect either the amount or validity  
12 of Claimant's equity interest in FTDF as reflected in FTDF's books and records and in the proof  
13 of interest filed by Claimant in FTDF, which interest is in the amount of \$11,518.50.  
14

15 SUBMITTED BY:

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17 \_\_\_\_\_  
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19 ROB CHARLES  
20 **LEWIS AND ROCA LLP**  
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APPROVED BY:

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1 Approved  
REVIEWED:

2 OFFICE OF THE U.S. TRUSTEE

3 

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